

# House File 58 - Introduced

HOUSE FILE 58

BY HUNTER

## A BILL FOR

1 An Act relating to the eligibility of certain individuals  
2 employed by educational institutions for unemployment  
3 insurance benefits between two successive academic years or  
4 terms and including applicability provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.4, subsection 5, paragraph b, Code  
2 2021, is amended by striking the paragraph.

3 Sec. 2. Section 96.4, subsection 5, paragraph c, Code 2021,  
4 is amended to read as follows:

5 c. With respect to services for an educational institution  
6 in any capacity under paragraph "a" or ~~"b"~~, benefits shall not  
7 be paid to an individual for any week of unemployment which  
8 begins during an established and customary vacation period  
9 or holiday recess if the individual performs the services in  
10 the period immediately before such vacation period or holiday  
11 recess, and the individual has reasonable assurance that the  
12 individual will perform the services in the period immediately  
13 following such vacation period or holiday recess.

14 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance  
15 with section 25B.2, subsection 3, the state cost of requiring  
16 compliance with any state mandate included in this Act shall  
17 be paid by a school district from state school foundation aid  
18 received by the school district under section 257.16. This  
19 specification of the payment of the state cost shall be deemed  
20 to meet all of the state funding-related requirements of  
21 section 25B.2, subsection 3, and no additional state funding  
22 shall be necessary for the full implementation of this Act  
23 by and enforcement of this Act against all affected school  
24 districts.

25 Sec. 4. APPLICABILITY. This Act applies to any new claim of  
26 unemployment benefits with an effective date on or after July  
27 4, 2021.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 Current law provides that an individual is not eligible  
32 for unemployment insurance benefits based on service in a  
33 capacity that is not an instructional, research, or principal  
34 administrative capacity for an educational institution for any  
35 week of unemployment that begins during the period between two

1 successive academic years or terms, if the individual performs  
2 the services in the first of such academic years or terms and  
3 has reasonable assurance that the individual will perform  
4 services for the second of such academic years or terms. If  
5 the individual is not offered an opportunity to perform the  
6 services for an educational institution for the second of  
7 such academic years or terms, the individual is entitled to  
8 retroactive payments of such benefits.

9 This bill strikes the provision.

10 The bill may include a state mandate as defined in Code  
11 section 25B.3. The bill requires that the state cost of  
12 any state mandate included in the bill be paid by a school  
13 district from state school foundation aid received by the  
14 school district under Code section 257.16. The specification  
15 is deemed to constitute state compliance with any state mandate  
16 funding-related requirements of Code section 25B.2. The  
17 inclusion of this specification is intended to reinstate the  
18 requirement of political subdivisions to comply with any state  
19 mandates included in the bill.

20 The bill applies to any new claim of unemployment benefits  
21 with an effective date on or after July 4, 2021.